

New Hampshire  
State Board of Education  
Minutes of the December 19, 2013 Meeting

**AGENDA ITEM I. CALL TO ORDER**

The regular meeting of the State Board of Education was convened at 9:00 a.m. at the Department of Education, 101 Pleasant Street, Concord, NH. Tom Raffio presided as Chairman.

Members present: Tom Raffio, Cindy C. Chagnon, Gary W. Groleau, Helen G. Honorow, Gregory Odell, Emma Rous, and James C. Schubert. Also in attendance were Virginia M. Barry, Commissioner of Education, and Paul K. Leather, Deputy Commissioner of Education.

**AGENDA ITEM II. PLEDGE OF ALLEGIANCE**

James Schubert led the pledge of allegiance.

**AGENDA ITEM III. PUBLIC COMMENT**

Doris Hohensee spoke of her concerns regarding the section in Smarter Balanced on dispositions. Paul Leather said he would check on this concern.

**AGENDA ITEM IV. OPEN BOARD DISCUSSION**

A. Update on Charter Schools – Chairman Raffio said the Board has to work with the Legislature and Governor to determine a long term policy. The Founders Academy has indicated that a January, 2014 opening has been revised to September, 2014 with the location for the Londonderry area. The Gate City Charter School for the Arts would like to enlarge their lottery situation. The Board will review this request. The Charter School packet which included the Charter Schools Dashboard that was distributed is a beginning. Ms. Honorow said this is a good start and did not think it was too much information. The Department and Board will need to look at the statement of purpose along with the statute to be sure charter schools are doing what they are intended to do. Board members would like to receive reports from the charter schools which include dropout rates and the elementary and middle grades retention rates.

B. Update on NH Department of Education ESEA Flexibility Waiver – There was no report at this meeting.

C. Update on Manchester School District – Paul Leather reported that the Manchester School District is moving forward with plans and that the Class Enrollment Management Plan has been submitted to the Department. Commissioner Barry said there is a large amount of transients but Manchester is not allowing students to move from one school to another.

D. Update on Unity - Dr. Judith Fillion, Jeff Blaney, Shawn Randall, and Bob McDevitt were present at the meeting. Mr. Blaney indicated the architect has made some significant progress relative to providing the State Fire Marshal's Office (SFMO) with requested submittals. Shawn Randall added the fire protection engineer they hired has been a great help in moving the plans and project forward. The SFMO conducted a site walk through yesterday and noted several items that have been constructed which do not meet code. Those items will have to be corrected once the stop work order has been lifted. Chairman Raffio questioned and Shawn Randall confirmed the plan is to keep Unity children in Claremont schools through this school year and the plan is to have the new Unity Elementary School open for the beginning of the 2014-15 school year. Shawn Randall also confirmed the Unity School Board has been discussing a backup plan with Superintendent McGoodwin in the event the Unity School is not ready for the 2014-15 school year.

E. Board Retreat Follow Up – Chairman Raffio said the Board needed to discuss the following items: a long-term policy on charter schools, minimum standards, and the common core standards. If school districts come up with standards that they believe are more challenging than the common core standards, then they can be adopted. Ms. Honorow suggested that time be set aside at the January 14<sup>th</sup> meeting to identify priorities discussed at the retreat. Mr. Odell would like an answer to Doris Hohensee's concern. Commissioner Barry said the Department really needs reading, language arts, and math consultants.

F. New Hampshire IHE Network – Dr. Audrey Rogers and Dr. Tom Schram, Professors at Southern New Hampshire University and the University of New Hampshire, respectively, and co-facilitators of the NH IHE Network, presented to the Board regarding the Network's progress and plans. They highlighted their intensive effort to pilot performance-based assessments of teacher candidates' mastery of New Hampshire certification standards. The IHE (Institutions of Higher Education) Network may be the nation's only statewide network of teacher educators committed to proactively addressing preparation program accountability and transformation. They noted that in their November 21, 2012 letter to the Board, the IHE Network had made the commitment to "craft, calibrate, implement and analyze a common assessment of teacher efficacy that can be used by all educator preparation programs, regardless of size or specialization."

Since their 2012 presentation to the Board, they have created a committee to reflect current knowledge on how pupils learn, particularly with respect to 21<sup>st</sup> century skills, and to work with the Department to ensure a shared operational understanding of how to assess teaching effectiveness. The committee reviewed leading efforts to assess candidate preparedness for teaching – e.g., Stanford’s EdTPA. They identified strengths and weaknesses in these approaches. They developed the NH Teacher Candidate Assessment Program (“TCAP”) model, to build on the approaches’ strengths and align with the work of the NH Educator Effectiveness Task Force. Four of the Network’s institutions are piloting TCAP assessments of candidates’ mastery of teaching certification standards. They expect the pilot will lead to development of inter-rater reliability among teacher educators statewide, concerning how to assess candidates’ evidence of their preparedness to teach. They anticipate this will enhance the rigor and consistency of educator preparation in New Hampshire by developing robust candidate assessments that become central to IHEs’ candidate and program assessment and improvement efforts. Drs. Schram and Rogers noted that they are working closely with the Department to provide ongoing faculty development on resources to infuse technology-facilitated pedagogy into educator preparation. They also expressed the network’s gratitude for being invited to provide feedback concerning the Department’s draft comprehensive plan to enhance the rigor of preparation program approval. They appreciated enhancements in the plan based on this feedback.

#### **AGENDA ITEM V. SPECIAL PRESENTATIONS**

A. City Year New Hampshire – Pawn Nitichan, Jim Balfanz, Sally Bachofer, and Gabby Betances, were present. A power point was presented. City Year is an education focused, nonprofit organization that engages young leaders of all backgrounds for a year of full-time service to keep students in school and on track to graduation and providing academic and socio-emotional supports. There are 2,700 Corps Members serving 242 schools in 25 cities. The City Year school based model provides full-time, highly-trained corps members and senior staff to implement whole school and targeted interventions aligned with the Common Core State Standards. City Year is focused on supporting implementation of New Hampshire College-and Career-Ready Standards. City Year engages parents and families to support students in meeting academic, attendance, and behavior goals. Gabby, a corps member, spoke of her involvement with the program. Chairman Raffio said there is value in the program with mentorship being very important. Chairman Raffio said that City Year receives support from Delta Dental and other organizations.

B. Approval of Professional Educator Preparation Programs

1. Plymouth State University – Dr. Judy Fillion and Dr. Irene Cucina, Director of Educator Preparation at Plymouth State University, were present. A site visit to review all of Plymouth State University's new and existing programs was conducted in November 2009 at which time all Curriculum, Instruction, Assessment and Resources standards were met, while some programs were granted provisional approval by the Board due to unmet standards. At the December 2012 Council for Teacher Education meeting, all pending requests for program approval were put on hold for the remainder on the 2012-13 academic year. At the first meeting of the academic year 2013-14 on September 19, 2013 the Council made a recommendation to the Board.

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, that the State Board of Education grant Plymouth State University full approval for the following five professional educator preparation programs through August 31, 2015 to align with other expiration dates: Education Technology Integrator Program (formerly Computer Technology Education) (Ed 612.19) Post-Baccalaureate, Life Sciences for Grades 7-12 (formerly Biology) (Ed 612.25) Post-Baccalaureate, and Chemistry for Grades 7-12 (Ed 612.26), with an annual report as requested.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Gregory Odell – No; Cindy Chagnon – Yes; Chairman Raffio – Yes; James Schubert – Yes; Helen Honorow – No. The motion carried by a 5 – 2 vote.

2. University of New Hampshire - Dr. Judith Fillion and Dr. Michael Middleton, Chair of Teacher Education at UNH, were present. A site visit was conducted at UNH in October 2010. A review team assessed all of the professional educator preparation programs. Twenty seven programs received full approval and two programs received conditional approval. In December 2012 UNH submitted a progress report that addressed the unmet standards for the conditionally approved programs. As a result of the findings from the progress report, in January 2013 the reviewers recommended full approval for the two conditionally approved programs. At this time, all pending requests for program approval had been put on hold for the remainder of 2012-13. At the first meeting of the academic year 2013-14 on September 19, 2013 the Council made a recommendation to the Board.

MOTION: Gary Groleau made the motion, seconded by James Schubert, that the State Board of Education grant the University of New Hampshire full approval for the following professional educator preparation programs until August 31, 2016 to align with other expiration dates: Art Education (Ed 612.01) and Program for Intellectual or Developmental Disabilities (Ed 612.06).

VOTE: The motion was adopted by a 6 – 1 vote with Gregory Odell opposed, and with the Chairman voting.

C. Student/Shaker Regional School Board – SB-FY-12-01-012 – A request for a hearing by the Board was received on January 17, 2012. The pro-se parent, on behalf of the student, filed this appeal regarding a request to be allowed to serve as a volunteer aide in the student's classroom due to the student's medical condition, pursuant to RSA 21-N:11 and Ed 206.

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, that the State Board of Education accept the Hearing Office's Report and adopts the Hearing Officer's Recommendation.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

D. Public Hearing – Certification Information and Elementary Education – Chairman Raffio opened the hearing at 11:00 a.m.. These rules provide the purpose for credential standards for educational personnel, definitions and confidentiality of educator certification and access to records. There was no testimony at this hearing. Chairman Raffio closed the hearing at 11:30 a.m.

E. Public Hearing – Home Education – Chairman Raffio opened the hearing at 11:30 a.m. These rules provide standards for home education programs. They are being readopted at the request of the Home Education Advisory Council. There was no testimony at this hearing. Chairman Raffio closed the hearing at 12:00 noon.

F. SAU Items

1. Tuition Contract between Hooksett School District and Manchester School District – David Ryan, Assistant Superintendent of Schools for SAU #37 Manchester, Charles Littlefield, Superintendent of Schools for SAU #15 Hooksett, and Attorney Diane Gorrow for Hooksett, were present. The Hooksett School District does not maintain a public high school. The Manchester School District does maintain high schools that are approved by the Board and is willing to accept Hooksett students on a tuition basis. Approval of this contract will permit high school students who reside in the Hooksett School District to receive a public education in the Manchester School District at Hooksett's expense. It will also make the Manchester School District's high schools the high schools maintained by the Hooksett School District, as set forth in RSA 194:22.

MOTION: Gregory Odell made the motion, seconded by Gary Groleau, to take this item off the table.

VOTE: The motion was adopted by unanimous vote of the Board present with the Chairman voting.

MOTION: Gregory Odell made the motion, seconded by Gary Groleau, that the State Board of Education approve the tuition contract between the Hooksett School District and the Manchester School District.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

David Ryan said that there are still some classroom issues in the Manchester schools.

2. Middleton Withdrawal Plan from the Farmington/Middleton AREA Agreement – Attorneys Dean Eggert and Alison Minutelli representing Middleton, members from the Middleton School Board, Penny Moran, Vice Chair of the Farmington School Board, Attorney Ed Lawson representing the Farmington School Board, and Attorney Patrick Queenan from the Attorney General's Office representing the State Board of Education, were present. The Attorneys for the school districts presented testimony regarding the withdrawal plan. RSA 195-A:14, VII requires the Board to review proposed withdrawal plans to determine whether the plan meets the statutory requirements of RSA 195-A:14, IV. If the plan meets the requirements, the Board shall recommend for or against the adoption of the plan based on the Board's assessment of the plan's feasibility.

If the opinion of the Board is that the proposed plan does not meet the statutory requirements, then the deficiencies shall be noted and the plan shall be returned for revision.

MOTION: Cindy Chagnon made the motion, seconded by Gregory Odell, that the State Board of Education table the Middleton Withdrawal Plan from Farmington/Middleton AREA Agreement to the January 14, 2014 meeting for further clarification. The Board voted to request a legal opinion from the Attorney General's Office as to whether the proposed AREA Withdrawal Plan contains any deficiencies. It also voted to delegate the authority to make the ultimate determination as to whether the Plan, in the Board's opinion, meets the technical requirements of RSA 195-A:14, IV, to the Chairman. To the extent the Chairman determines the Plan contains deficiencies, the Chairman will return the Plan to Middleton and note the deficiencies prior to the January State Board meeting. To the extent there are no deficiencies, the Board will take up the matter at the January Board meeting and will recommend either "for" or "against" its adoption.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

G. Students/Con-Val School Board – SB-FY-13-04-008 - The issue was relative to transportation. The parent sent a letter indicating students will be transported and subsequent request for withdrawal of matter. It is recommended that the matter be removed from the tabled items and voted on as a matter to be withdrawn. It is then recommended that the Board vote on the withdrawal request and vote to have the Chairman send a letter granting the dismissal on withdrawal.

MOTION: Gregory Odell made the motion, seconded by Cindy Chagnon, to take this item off the table.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

MOTION: Cindy Chagnon made the motion, seconded by Gregory Odell, that the State Board of Education accepts the Recommendation of Withdrawal Request and grants the dismissal on withdrawal.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

MOTION: Gregory Odell made the motion, seconded by Cindy Chagnon, that the State Board of Education authorize Chairman Raffio send a letter granting the dismissal on withdrawal.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

H. Hearing – Students/Pembroke School Board – SB-FY-13-06-009 – Attorneys Dean Eggert and Alison Minutelli representing the Pembroke School Board, were present. The parents, on behalf of the student, filed this appeal of alleged bullying and the local school board decision to the allegation.

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, that the State Board of Education accept the Hearing Officer's Report and adopt the Hearing Officer's Recommendation as the reported incidents did not constitute bullying under state law and local policy.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

I. Hooksett School Board/Manchester School Board – SB-FY-13-06-010 (Dismissed) – An appeal to the Board by the Hooksett School Board relative to the High School Maintenance Agreement with the Manchester School Board was received on June 24, 2013. The issue was material breach of contract. By correspondence dated August 2, 2013, the parties advised that they had reached agreement resolving all pending actions between the two school boards and it is recommended that this case be closed.

MOTION: Cindy Chagnon made the motion, seconded by James Schubert, that the State Board of Education accepts the Hearing Officer's Report and adopts the Hearing Officer's Recommendation.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.



## **AGENDA ITEM VI. NEW DEPARTMENT BUSINESS**

Chairman Raffio said that at the January 14, 2014 meeting thirty minutes should be allowed for discussion on the strategic plan discussed at the retreat that will include charter schools.

## **AGENDA ITEM VII. LEGISLATIVE ISSUES**

Paul Leather said the hearing at JLCAR on Minimum Standards had been postponed and will be rescheduled for another time and that the timelines had been extended. There is concern about the revised rules and statues concerning the adequacy portion of the standards as to whether those sections of the Rules need to be approved by the full General Court. JLCAR will conditionally approve the remaining 306 rules.

## **AGENDA ITEM VIII. NEW BOARD BUSINESS**

There was no New Board Business discussed at this meeting.

## **AGENDA ITEM IX. COMMISSIONER'S REPORT**

Commissioner Barry did not have a Commissioner's Report at this meeting.

## **AGENDA ITEM X. OLD BUSINESS**

There was no Old Business at this meeting.

## **AGENDA IEM XI. CONSENT AGENDA**

### **A. Minutes of November 21, 2013 Meeting**

MOTION: Cindy Chagnon made the motion, seconded by James Schubert, to approve the Minutes of November 21, 2013.

VOTE: The motion was adopted by a 5 – 2 vote with Gary Groleau and Helen Honorow abstaining, with the Chairman voting.

### **B. Minutes of November 26, 2013 Hearing**

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, to approve the Minutes of November 26, 2013.

VOTE: The motion was adopted by a 6 – 1 vote with Helen Honorow abstaining, with the Chairman voting.

C. Approval of appointment to Nonpublic School Advisory Council – Rev. John Fortin – Rev. John Fortin has been nominated by the Council to replace a member who has resigned. Rev. Fortin serves as the Superintendent of Catholic Schools for the Diocese of Manchester.

MOTION: Gary Groleau made the motion, seconded by Cindy Chagnon, that the State Board of Education approve the Commissioner's appointment of Rev. John Fortin to the Nonpublic School Advisory Council for a three-year term effective December 19, 2013 through June 30, 2016.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

D. Amendment to Colebrook-Columbia AREA Agreement – The Colebrook-Columbia Planning Review Committee is recommending that the current agreement, which expires on June 30, 2016, be extended for an additional five years, until June 30, 2021. They are also recommending the elimination of the 2% rental charge and the addition of a provision that would allow Columbia pre-school students attend the Colebrook pre-school, if Colebrook decides to permit students from outside the district to enroll in its pre-school program. The school boards in both communities unanimously approved the recommendations of the planning committee. If the Board approves the amended agreement, the local voters in Colebrook and Columbia will be able to vote on it at their annual school district meetings.

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, that the State Board of Education approve the amended AREA Agreement between Colebrook and Columbia and that the amended agreement be placed on the school district warrants in Colebrook and Columbia for a vote at their annual meeting.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

E. Amendment to Berlin-Milan AREA Agreement – The Berlin-Milan Planning Review Committee, which was formed as a result of the passage of a warrant article submitted to the voters of the Milan School District annual meeting held on March 12, 2013, has submitted an amended AREA plan to the Board for approval. The committee has decided to amend the current agreement for three years rather than to withdraw from the AREA agreement. If the Board approves the amended agreement, the local voters in Milan will be able to vote on it at the annual school district meetings in March and the Berlin City Council may adopt the agreement if it is ratified by the Milan voters.

MOTION: Gregory Odell made the motion, seconded by Gary Groleau, that the State Board of Education approve the amended AREA Agreement between Berlin and Milan and that the amended agreement be placed on the school district warrant in Milan for a vote at the annual meeting and returned to the Berlin City Council for approval.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

F. Tuition Contract – Barrington School District/Dover School District – Barrington does not maintain a public high school. The Dover School District does maintain a high school that is approved by the Board and is willing to accept Barrington students on a tuition basis. Approval of this tuition contract will permit some high school students who reside in the Barrington School District to receive a public education in the Dover School District at Barrington's expense. It will also make Dover School District's high school the high school maintained by the Barrington School District, as set forth in RSA 194:22.

MOTION: James Schubert made the motion, seconded by Cindy Chagnon, that the State Board of Education approve the tuition contract between the Barrington School District and the Dover School District.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

G. Tuition Contract – Barrington School District/Oyster River School District – Barrington does not maintain a public high school. The Oyster River School District does maintain a high school that is approved by the Board and is willing to accept Barrington students on a tuition basis. Approval of this tuition contract will permit some high school students who reside in the Barrington School District to receive a public education in the Oyster River School District at Barrington's expense. It will also make the Oyster River School District's high school the high school maintained by the Barrington School District, as set forth in RSA 194:22.

MOTION: James Schubert made the motion, seconded by Cindy Chagnon, that the State Board of Education approve the tuition contract between the Barrington School District and the Oyster River School District.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

#### **AGENDA ITEM XII. TABLED ITEMS**

- A. Student/Con-Val School Board – SB-FY-13-04-008
- B. Tuition Contract Between Hooksett School District and Manchester School District

#### **AGENDA ITEM XIII. NONPUBLIC SESSION**

MOTION: Gregory Odell made the motion, seconded by Gary Groleau, to go into nonpublic session pursuant to RSA 91-A:3.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

MOTION: Gregory Odell made the motion, seconded by Gary Groleau, to come out of nonpublic session.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

**AGENDA ITEM XIV. ADJOURNMENT**

MOTION: Helen Honorow made the motion, seconded by James Schubert, to adjourn the meeting at 1:00 p.m.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.



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Secretary